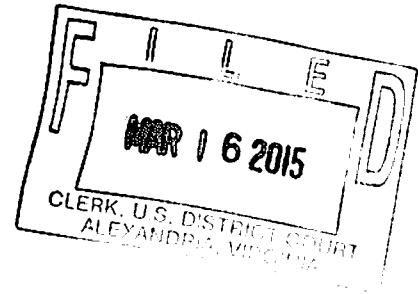


**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA**



COOLMATH.COM, LLC,

Plaintiff,

v.

COOLMATHGAMES.COM,

Defendant.

**Civil Action No.
1:14-cv-1185-CMH/MSN**

MOTION TO CONTINUE MARCH 20, 2015 ORAL ARGUMENT

Plaintiff/Counterclaim-Defendant Coolmath.com, LLC ("Coolmath"), by its counsel and pursuant to Eastern District of Virginia Local Rule 7(G), hereby requests a continuance of the March 20, 2015 oral argument on its pending Motion to Dismiss counterclaims filed by Defendant/Counterclaim-Plaintiff Vertical Axis, Inc. ("Vertical Axis") pursuant to Fed. R. Civ. P. 12(b)(6) (the "Motion").

This action involves claims by Coolmath for trademark infringement and cybersquatting, and a counterclaim by Vertical Axis sounding largely in antitrust law. Coolmath, though counsel retained specifically to represent it in connection with the antitrust claims (as co-counsel are both boutique firms focusing largely on trademark and copyright matters), filed the Motion on February 24, 2015 and the Court set oral argument for March 13, 2015 at 10:00am. On March 12, 2015, the Court *sua sponte* continued the argument to March 20, 2015.

Lead antitrust counsel for Coolmath, John E. Schmidlein, Esq., has a long-standing family obligation out of state on March 20, 2015. Moreover, Mr. Schmidlein has conflicting, previously-scheduled federal court appearances in California so as to make appearing for

argument on March 27 or April 3 impossible. Therefore, Coolmath respectfully requests that oral argument on the Motion be continued until Friday, April 10, 2015 so that it can be represented by its antitrust counsel. Moreover, although Coolmath is mindful that the Court only hears civil motions on Fridays, it is prepared and available to appear for argument on a non-Friday in advance of April 10. With this in mind, both Coolmath and Vertical Axis are available at 10:00am on March 31, April 1, April 7 and April 9 if convenient for the Court.

Coolmath submits that the pre-existing family and court obligations constitute good cause for the request. This motion is made upon consent of counsel for Vertical Axis, Jonathan D. Westreich, Esq.

Dated: March 13, 2015

Respectfully submitted,

WILLIAMS & CONNOLLY LLP

By: /s/ Lucas E. Beirne

John E. Schmidtlein (*admitted pro hac vice*)

Lucas E. Beirne (VSB No. 83,646)

725 Twelfth Street, N.W.

Washington, D.C. 20005

(202) 434-5000

JSchmidtlein@wc.com

LBeirne@wc.com

John N. Jennison (VSB No. 36,824)

Carl E. Jennison (VSB No. 42,889)

JENNISON & SHULTZ, P.C.

2001 Jefferson Davis Highway, Suite 1102

Arlington, Virginia 22202

(703) 415-1640

John@JennisonLaw.com

Carl@JennisonLaw.com

James D. Weinberger (*admitted pro hac vice*)

Jennifer Insley-Pruitt (*admitted pro hac vice*)

FROSS ZELNICK LEHRMAN & ZISSU, P.C.

866 United Nations Plaza

New York, New York 10017

So Ordered
Claude M. Hilton
USDT
Mar 16, 2015